

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

Health Discovery Corporation,

Plaintiff,

v.

Intel Corporation,

Defendant.

Civil Action No. 6:20-cv-00666-ADA

The Honorable Alan D. Albright

JURY TRIAL DEMANDED

JOINT CLAIM CONSTRUCTION STATEMENT

Pursuant to the Court’s December 21, 2020 Scheduling Order (Dkt. No. 27), Plaintiff Health Discovery Corporation (“Plaintiff” or “HDC”) and Defendant Intel Corporation (“Defendant” or “Intel”) (collectively referred to as the “Parties”) hereby respectfully submit this Joint Claim Construction Statement. The Joint Claim Construction Statement identifies agreed and disputed constructions for each of the claim terms at issue concerning U.S. Patent No. 10,402,685 (“the ’685 patent”), U.S. Patent No. 7,117,188 (“the ’188 patent”), U.S. Patent No. 7,542,959 (“the ’959 patent”), U.S. Patent No. 8,095,483 (“the ’483 patent”).

I. PROPOSED CONSTRUCTION OF EACH DISPUTED CLAIM TERM

Attached as Exhibit A is the parties’ chart of proposed constructions for the claim terms that are in dispute for the ’685 patent, the ’188 patent, the ’959 patent, and the ’483 patent. The chart sets forth each party’s positions regarding proposed constructions of these disputed claim terms.

II. CONSTRUCTION OF CLAIM TERMS ON WHICH THE PARTIES AGREE

After conferences pursuant to the Court’s Scheduling Order, the Parties have reached agreement upon the construction of the following terms:

Term(s) and Asserted Claims	Parties' Agreed Construction
<p>“training” terms -- “training data,” “training set,” “training data set” and “training example”</p> <ul style="list-style-type: none"> • '188 patent (claims 1, 8, 9, 11, 13, 18, 19) • '959 patent (claims 1, 12, 16) • '483 patent (claims 1, 7, 13, 18, 22, 32) • '685 patent (claims 1-4, 6-8, 11-15, 17-18, 23) 	<p>“data having known output characteristics”</p>
<p>“live” terms – “live data set” and “live set of data”</p> <ul style="list-style-type: none"> • '188 patent (claims 1, 8, 9, 13, 19) 	<p>“data having unknown output characteristics”</p>

III. LENGTH OF TIME NECESSARY FOR CLAIM CONSTRUCTION HEARING

The parties anticipate that the length of time necessary for a hearing on the claim construction issues is approximately 4 hours.

Dated: May 24, 2021

Respectfully submitted,

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ATTORNEYS FOR DEFENDANT
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CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of May 2021, the undersigned electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to all attorneys of record registered to receive filings and notices in this action.

/s/ Charles E. Cantine
Charles E. Cantine